

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re application of: <b>Domány <i>et al.</i></b>               | Confirmation No.: 4047     |
| Application No.: 10/761,940                                     | Art Unit: 1625             |
| Filed: January 21, 2004   | Examiner: Chang, Celia C.  |
| For: <b>Piperidine Derivatives as NMDA Receptor Antagonists</b> | Atty. Docket: 1000546-0003 |

**Information Disclosure Statement**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Listed on accompanying Form PTO-SB08A are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98. Copies of the listed United States patents have not been provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-SB08A based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

There is no English language equivalent of CN1235604A, but we provide the following explanation of the contents: This Chinese application claims one compound and its salts. The claimed compound has an alkylene "linker" of three (3) carbon atoms, which contains an oxygen substituent in the neighboring position to the aromatic ring. This compound does not have an "isolating" -NH- group between the aromatic ring and the "linker" chain, which in this compound is longer than the those of the instant application.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that has been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-SB8A, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-3626.

Respectfully submitted,

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Date: June 1, 2007

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